

ENTERED

July 28, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISIONIN RE SIM 2 TANK BARGE,
OFFICIAL NO. 1089249§
§
§ CIVIL ACTION NO. 3:24-cv-00036
§
§**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On June 5, 2024, all pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 26. Judge Edison filed a memorandum and recommendation on June 25, 2025, recommending that Petitioner's motion for summary judgment (Dkt. 48) be granted. Dkt. 55.

On July 9, 2025, Claimant Anacleto Acosta filed his objections to the memorandum and recommendation. Dkt. 56. In accordance with 28 U.S.C. § 636(b)(1)(C), this court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* Fed. R. Civ. P. 72(b)(3).

The court has carefully considered the objections; the memorandum and recommendation; the pleadings; and the record. The court accepts Judge Edison's

memorandum and recommendation and adopts it as the opinion of the court. It is therefore ordered that:

- (1) Judge Edison's memorandum and recommendation (Dkt. 55) is approved and adopted in its entirety as the holding of the court; and
- (2) Petitioner's motion for summary judgment (Dkt. 48) is granted; and
- (3) Petitioner is exonerated and the claims against it are dismissed.

Signed on Galveston Island this 28th day of July, 2025.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE